

Division of Community Nutrition

<i>Subject:</i> Ordering Contract Formula Samples		<i>Policy:</i> FDS 03.1.2
<i>Reference:</i> C.F.R. § 246.2	<i>Effective:</i> August 12, 2013	<i>Supersedes:</i> March 1, 2007

I. Policy:

The State WIC Office (SWO) shall establish a maximum quantity and type of sample infant formula products ordered and distributed to one or more locations within a local agency. In accordance with FDS 03.1.1, all local agencies are required to receive sample contract formula for eligible participants.

II. Procedure(s):

- A. The WIC Coordinator shall submit a Contract Formula Sample Order and Delivery Form, WIC-403, to the SWO to request a sample formula delivery change, specifically:
 - 1) Quantity – to request an increase or decrease in the quantity of sample formula to be delivered. Adjustments in formula quantity shall not exceed the maximum allotment.
 - 2) Type – to request a change in the type or form of sample formula – this request applies only to formulas designated as sample formulas
 - 3) Delivery location – Local agency may add or remove sample formula delivery location(s). Local agencies that have multiple delivery sites shall reapportion sample formula among the various physical sites, working within the maximum quantity allocated to each local agency. The maximum sample formula allocated to each local agency shall not increase, unless approved by the SWO.
- B. If a change to the sample formula allotment is required, then a WIC-403 shall be emailed as an attachment to a designated SWO contact person.
 - 1) A WIC-403 shall be submitted to request a change before the 20th of the month. A WIC-403 is completed only if a change is being requested by the local agency.
- C. Sample contract infant formula shall be purchased by the SWO and delivered to local agency every other month (bi-monthly).
 - 1) Each location scheduled to receive sample formula shall notify the SWO via email that the sample formula order was received
 - 2) The notification shall be submitted to the SWO no later than the last Friday of the scheduled delivery month. If the required notification is not sent by the

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due date, then all ineligible charges incurred and / or paid for by the SWO will be the financial responsibility of the health districts.

- D. Local agency shall submit a Damaged Contract Formula Sample Form, WIC-404, by email attachment to a designated SWO contact person, if damaged sample formula was received and/or request a replacement order.
- 1) A local agency that receives damaged sample formula of two or fewer cans of powdered formula, five or fewer cans of concentrate, shall be retained until a full case can be returned to the contractor. When a damaged half case or larger is received, then a WIC-404 shall be completed and submitted to the SWO.
 - 2) To receive replacement product for damaged formula a full case quantity of the same formula product must be returned to the formula contractor. The local agency must submit to the SWO a WIC-404 requesting a replacement order.
 - 3) The SWO shall notify the contractor that a return is ready for pick-up and request the replacement formula. The local agency shall be notified of the pick-up arrangements made with the contractor. The replacement order will be shipped upon receipt of the case of damaged formula.